

REMARKS

The Farhangi patent teaches combining one or more analog formats (MIC-IN, CD-analog, line-analog) with an MPEG audio stream 207. It also suggests using CD digital 205. But the CD digital that is described is in the EBU format which is not apparently a pulse code modulated format. *See*, col. 3, line 30 and the EBU specification attached. Thus, Farhangi does not teach receiving a first audio stream in a first perceptually based format and a second audio data stream in a pulse code modulated format. While the Examiner may contend the MPEG audio stream is perceptually based, there is no second audio stream in a pulse code modulated format.

The cited reference to Bergher, et al teaches decoding of various streams but does not teach mixing. The portion about interleaving, cited by the Board, plainly relates to interleaving left right, center and surround left, surround right. There is absolutely no discussion whatsoever about mixing. It is believed that the Examiner will agree that, to the extent the Board believed that there was mixing here, they are plainly misreading the reference. The reference only talks about the decoder and that is all that is referenced. The cited PCM output interface is provided on the output and does not receive various streams. The PCM output interface is apparently the block labeled PCM output unit in Figure 1 on page 569. It does not receive two inputs from which it could provide a mixed output. It plainly receives a single input and provides the three outputs.

The reference to Alexander does not receive any type of perceptually encoded input. Thus, it is not believed that the reference is relevant. Similarly, the Hinderks reference does not receive any perceptual input.

None of the references teach receiving a perceptually based format audio and a non perceptually format based audio and particularly a pulse code modulated input, converting the perceptually based format to pulse code modulated format, mixing the pulse code modulated formats for the first and second data streams and then encoding the mixed stream in a perceptually based format.

In short, Farhangi does not teach any PCM based system and does not teach encoding in a perceptually based format. Bergher does not teach mixing whatsoever. Moreover, he does not

teach encoding in a perceptually based format. Hinderks and Alexander do not even receive perceptually based format nor do they provide an output in a perceptually based format.

Therefore, in view of these remarks, the application should now be in condition for allowance.



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Respectfully submitted,

A handwritten signature in black ink, appearing to read "Timothy N. Trop", written over a horizontal line.

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